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QUARLES & BRADY LLP
ONE SOUTH CHURCH AVENUE, SUITE 1700
TUCSON, AZ 85701-1621

EXAMINER

FAULK, DEVONA E

ART UNIT	PAPER NUMBER
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2615

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12/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/923,280

Applicant(s)

LAZZERONI ET AL.

Examiner

Devona E. Faulk

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-8 and 10-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-8 and 10-17,19-28,30-36 is/are rejected.
- 7) ☒ Claim(s) 18,29 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/2/2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/5/2007 has been entered.

Response to Remarks

2. The applicant has amended the claims to recite "a multi-accessory motorcycle audio system comprising a plurality of audio accessories including a music source, a cellular telephone, a radar detection device, a microphone and a geographic designation system". The applicant asserts that the prior art cited in the last office action fails to disclose the amended claim language. The examiner agrees but upon further investigation has determined that the applicant's admitted prior art discloses a motorcycle comprising all of the accessories claimed (page 1, lines 11-20 and page 2, lines 7-16).

3. Claims 2, 4 and 9 are cancelled.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 11,12 ,22,23,33 and 34** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention. Claims 11, 22 and 33 recite "... combining the general mobile communications device audio signal and the citizen's band radio audio signal". Claims 12,23 and 34 recite "... combining the geographic designation system audio signal and the radar detection audio signal.". The examiner is unclear as to what the combined resulting output would be and how the combined output would be used differently, by the motorcyclist, from the individual signals themselves. Clarity is needed.

6.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1,3,5-10,14-17,19,20-22,25-28,30-32 and 35,36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art (hereafter AAPA) (page 1, line 1- page 2, line 16) in view of Ishigaki et al. (US 4,347,510) in further view of Furst et al. (US 6,316,713).

Regarding claim 1, the applicant's admitted prior art discloses a multi-accessory motorcycle audio system (**page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18**) comprising:

A plurality of audio accessories including a music source, a cellular telephone, a radar detection device, a microphone and a geographic designation system (**page 1, lines 14-18 list examples of audio accessories available include am or fm radios, CB radios, stereos, intercoms, tape and compact disk players, general mobile communication devices, cellular phones, global positioning satellite systems and radar detectors and page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and is also equipped with a headset microphone**); and

An audio switching device and a switching section (**page 1, lines 21-page 2, line 6**).

AAPA discloses an audio switching device but fails to explicitly disclose an input section adapted to receive a plurality of signals from the plurality of signals from the plurality of vehicle audio accessories and to transmit the plurality of audio signals, a switching section interconnected with the input section, a controller comprising an instruction set and interconnected with said input section and with said switching section and adapted to receive the plurality of audio signals from the input section and to produce control signals based upon said instruction set, wherein said switching section is adapted to receive the plurality of audio signals from the input section, to receive the control signals produced by the controller, and to produce an output audio signal, and an output section interconnected with said switching section.

Ishigaki discloses an audio switching device (**automatic switching apparatus 14, Figure 1; column 3, lines 7-8**) comprising:

an input section adapted to receive a plurality of signals from the plurality of signals from the plurality of vehicle audio accessories and to transmit the plurality of audio signals (**input terminals 21-23, Figure 2; column 3, lines 10-12**),

a switching section interconnected with the input section (**switching circuits 24-26; Figure 2; column 3, lines 11-16**);

a controller comprising an instruction set and interconnected with said input section and with said switching section and adapted to receive the plurality of audio signals from the input section and to produce control signals based upon said instruction set (**memory circuit 30 reads on controller, Figure 2; Figure 3 illustrates the memory which output control signals CS1,CS2 and CS3 ; column 3, line 64-column 4, line 59; column 5, lines 13-30 teaches that the memory circuit 30 produces control signals as output so that, in response to one input signal, the switching circuit of the that input signal is closed and thereafter maintained in this state, but when an input signal subsequently arrives at another signal system, the switching circuit which has been first closed is opened, and the switching circuit of the system of the input Signal arriving later is closed**);

wherein said switching section is adapted to receive the plurality of audio signals from the input section, to receive the control signals produced by the controller, and to produce an output audio signal (**Figure 2; column 3, line 64-column 4, line 67 discloses that the switching section, switching circuits 24-26, receives input signals from the input terminals and control signals produced by the memory and to produce an output audio signal**);

an output section interconnected with said switching section (**pre-amp 15, main amp 16 and speaker 17 read on output section, Figure 1; column 2, line 67-column 3, line 2).**

Ishigaki teaches of switching between only three devices and teaches that the benefit of the switching apparatus, 14, is to provide automatic selection (Ishigaki, column 2, lines 47-53). It would have been obvious, in light of the AAPA's disclosure that it is common for a touring motorcycle to have of all of the claimed audio accessories, that one of ordinary skill in the art would have varied the switching section of prior art Ishigaki in a predictable manner so as to result in the claimed invention in order to accommodate all of the audio accessories.

AAPA as modified discloses a controller. AAPA as modified fails to disclose that the controller is programmable. Furst discloses a switching apparatus that has a programmable controller (**switching apparatus 12 has a drive apparatus 21 which has a programmable microprocessor with a memory, the drive apparatus 21 controlling the switching apparatus; column 4, line 61-column 5, line 13).** It would have been obvious to modify AAPA as modified so that the controller is programmable so that switching can occur more quickly.

Regarding claim 3, AAPA as modified discloses a multi-accessory motorcycle audio system wherein the vehicle audio accessories comprise a first level music source and a second level music source (**AAPA ; page 1, lines 14-18 list examples of audio accessories available include am or fm radios, CB radios, stereos, intercoms, tape and compact disk players, general mobile communication devices, cellular**

phones, global positioning satellite systems and radar detectors and page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and is also equipped with a headset microphone).

Regarding claim 5, AAPA as modified discloses a multi-accessory motorcycle audio system wherein said microphone comprises a headset microphone (**AAPA ; page 1, lines 14-18 list examples of audio accessories available include am or fm radios, CB radios, stereos, intercoms, tape and compact disk players, general mobile communication devices, cellular phones, global positioning satellite systems and radar detectors and page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and is also equipped with a headset microphone).**

Regarding claim 6, AAPA as modified discloses a multi-accessory motorcycle system wherein the audio accessories comprise a pair of headset microphones (**AAPA ; page 1, lines 14-18 list examples of audio accessories available include am or fm radios, CB radios, stereos, intercoms, tape and compact disk players, general mobile communication devices, cellular phones, global positioning satellite systems and radar detectors and page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and is also equipped with a headset microphone for the passenger and the driver).**

Regarding claim 7, AAPA as modified discloses a multi-accessory motorcycle system wherein the audio accessories comprise a wireless communications device (AAPA ; page 1, lines 14-18 list examples of audio accessories available include am or fm radios, CB radios, stereos, intercoms, tape and compact disk players, general mobile communication devices, cellular phones, global positioning satellite systems and radar detectors and page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and is also equipped with a headset microphone).

Regarding claim 8, AAPA as modified discloses a multi-accessory motorcycle system wherein the audio accessories comprise a general mobile communications device (AAPA ; page 1, lines 14-18 list examples of audio accessories available include am or fm radios, CB radios, stereos, intercoms, tape and compact disk players, general mobile communication devices, cellular phones, global positioning satellite systems and radar detectors and page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and is also equipped with a headset microphone).

Regarding claim 10, AAPA as modified discloses wherein the audio accessories comprise a first level music source and a second level music source; and the input section comprises a switch for switching between the first and second music sources

(See AAPA, Ishigaki and Furst as applied to claim 1 above which discloses switching between a plurality of sources).

Regarding claim 14, AAPA as modified discloses wherein the switching section comprises a plurality of switches (See AAPA, Ishigaki and Furst as applied to claim 1 above; Ishigaki discloses automatic a switching apparatus (14, Figure 1; column 3, lines 7-8) that includes a switching section interconnected with the input section (switching circuits 24-26; Figure 2; column 3, lines 11-16).

Regarding claim 15, AAPA as modified discloses wherein the switching section comprises a plurality of analog switches (**See AAPA, Ishigaki and Furst as applied to claim 1 above; Ishigaki discloses automatic a switching apparatus (14, Figure 1; column 3, lines 7-8) that includes a switching section interconnected with the input section (switching circuits 24-26; Figure 2; column 3, lines 11-16).**

Regarding claim 16, AAPA as modified discloses wherein the controller comprises a programmable controller chip (**See AAPA, Ishigaki and Furst as applied to claim 1 above; Furst discloses a switching apparatus that has a programmable controller (switching apparatus 12 has a drive apparatus 21 which has a programmable microprocessor with a memory, the drive apparatus 21 controlling the switching apparatus; column 4, line 61-column 5, line 13).**

Regarding claim 17, AAPA as modified discloses a microphone that provides a microphone signal (See AAPA as applied above to claim 1) an instruction set for switching and switching between various sources. AAPA as modified fails to disclose explicitly that the instruction set comprises an instruction for controlling the switching

section in response to the microphone audio signal. The prior has recognized the importance or benefit of switching between various sources and having a programmable controller for controlling the switching as evidenced by AAPA, Ishigaki and Furst. It would have been obvious to try switching as a result of the microphone signal with a reasonable expectation of success.

Regarding claim 19., AAPA as modified wherein the output section comprises a pair of speakers (**AAPA further discloses that the output can comprise a pair of helmet speakers; AAAPA ,page 2 , lines 10-11).**

Regarding claim 20, the applicant's admitted prior art discloses a motorcycle audio system switching device (**page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and of switching capability, page 1, line 21-page 2, line 6)** for switching a plurality of audio accessories including a music source, a cellular telephone, a radar detection device, a microphone and a geographic designation system (**page 1, lines 14-18 list examples of audio accessories available include am or fm radios, CB radios, stereos, intercoms, tape and compact disk players, general mobile communication devices, cellular phones, global positioning satellite systems and radar detectors and page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and is also equipped with a microphone); and**

An audio switching device and a switching section (**page 1, lines 21-page 2, line 6**).

AAPA discloses an audio switching device but fails to explicitly disclose an input section interconnected with said plurality of audio accessories, a switching section interconnected with said input section, a controller comprising an instruction set and interconnected with said input section and with said switching section and adapted to receive a plurality of audio signals from the input section and to produce control signals based upon said instruction set, wherein said switching section is adapted to receive the plurality of audio signals from the input section, to receive the control signals produced by the controller, and to produce an output audio signal, and an output section interconnected with said switching section.

AAPA as modified discloses a controller. AAPA as modified fails to disclose that the controller is programmable. Furst discloses a switching apparatus that has a programmable controller (**switching apparatus 12 has a drive apparatus 21 which has a programmable microprocessor with a memory, the drive apparatus 21 controlling the switching apparatus; column 4, line 61-column 5, line 13**). It would have been obvious to modify AAPA as modified so that the controller is programmable so that switching can occur more quickly.

Ishigaki discloses an audio switching device (**automatic switching apparatus 14, Figure 1; column 3, lines 7-8**) comprising:

an input section interconnected with said plurality of audio accessories **(input terminals 21-23, Figure 2; column 3, lines 10-12),**

a switching section interconnected with the input section **(switching circuits 24-26; Figure 2; column 3, lines 11-16);**

a controller comprising an instruction set and interconnected with said input section and with said switching section and adapted to receive the plurality of audio signals from the input section and to produce control signals based upon said instruction set **(memory circuit 30 reads on controller, Figure 2; Figure 3 illustrates the memory which output control signals CS1,CS2 and CS3 ; column 3, line 64-column 4, line 59; column 5, lines 13-30 teaches that the memory circuit 30 produces control signals as output so that, in response to one input signal, the switching circuit of the that input signal is closed and thereafter maintained in this state, but when an input signal subsequently arrives at another signal system, the switching circuit which has been first closed is opened, and the switching circuit of the system of the input Signal arriving later is closed);**

wherein said switching section is adapted to receive the plurality of audio signals from the input section, to receive the control signals produced by the controller, and to produce an output audio signal **(Figure 2; column 3, line 64-column 4, line 67 discloses that the switching section, switching circuits 24-26, receives input signals from the input terminals and control signals produced by the memory and to produce an output audio signal);**

an output section interconnected with said switching section (**pre-amp 15, main amp 16 and speaker 17 read on output section, Figure 1; column 2, line 67-column 3, line 2).**

Ishigaki teaches of switching between only three devices and teaches that the benefit of the switching apparatus, 14, is to provide automatic selection (Ishigaki, column 2, lines 47-53). It would have been obvious, in light of the AAPA's disclosure that it is common for a touring motorcycle to have of all of the claimed audio accessories, that one of ordinary skill in the art would have varied the switching section of prior art Ishigaki in a predictable manner so as to result in the claimed invention in order to accommodate all of the audio accessories.

AAPA as modified discloses a controller. AAPA as modified fails to disclose that the controller is programmable. Furst discloses a switching apparatus that has a programmable controller (**switching apparatus 12 has a drive apparatus 21 which has a programmable microprocessor with a memory, the drive apparatus 21 controlling the switching apparatus; column 4, line 61-column 5, line 13).** It would have been obvious to modify AAPA as modified so that the controller is programmable so that switching can occur more quickly.

Regarding claim 21, AAPA as modified discloses wherein the audio accessories comprise a first level music source and a second level music source; and the input section comprises a switch for switching between the first and second music sources (**See AAPA, Ishigaki and Furst as applied to claim 20 above which discloses switching between a plurality of sources).**

Regarding claim 25, AAPA as modified discloses wherein the switching section comprises a plurality of switches (**See AAPA, Ishigaki and Furst as applied to claim 20 above; Ishigaki discloses automatic a switching apparatus (14, Figure 1; column 3, lines 7-8) that includes a switching section interconnected with the input section (switching circuits 24-26; Figure 2; column 3, lines 11-16).**

Regarding claim 26, AAPA as modified discloses wherein the switching section comprises a plurality of analog switches (**See AAPA, Ishigaki and Furst as applied to claim 20 above; Ishigaki discloses automatic a switching apparatus (14, Figure 1; column 3, lines 7-8) that includes a switching section interconnected with the input section (switching circuits 24-26; Figure 2; column 3, lines 11-16).**

Regarding claim 27, AAPA as modified discloses wherein the controller comprises a programmable controller chip (**See AAPA, Ishigaki and Furst as applied to claim 20 above; Furst discloses a switching apparatus that has a programmable controller (switching apparatus 12 has a drive apparatus 21 which has a programmable microprocessor with a memory, the drive apparatus 21 controlling the switching apparatus; column 4, line 61-column 5, line 13).**

Regarding claim 28, AAPA as modified discloses a microphone that provides a microphone signal (See AAPA as applied above to claim 1), an instruction set for switching and switching between various sources. AAPA as modified fails to disclose explicitly that the instruction set comprises an instruction for controlling the switching

section in response to the microphone audio signal. The prior has recognized the importance or benefit of switching between various sources and having a programmable controller for controlling the switching as evidenced by AAPA, Ishigaki and Furst. It would have been obvious to try switching as a result of the microphone signal with a reasonable expectation of success.

Regarding claim 30., AAPA as modified wherein the output section comprises a pair of speakers **(AAPA further discloses that the output can comprise a pair of helmet speakers; AAAPA ,page 2 , lines 10-11).**

Regarding claim 31, the applicant's admitted prior art discloses a method for switching signals in a motorcycle audio system interconnected to a plurality of audio accessories including a music source, a cellular telephone, a radar detection device, a microphone and a geographic designation system, the method comprising **(page 1, lines 21-page 2, line 6 teaches of switching between a plurality of audio accessories (a switching method is implicit); page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and of switching capability, page 1, line 21-page 2, line 6 ; page 1, lines 14-18 list examples of audio accessories available include am or fm radios, CB radios, stereos, intercoms, tape and compact disk players, general mobile communication devices, cellular phones, global positioning satellite systems and radar detectors and page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with**

many or all of the audio accessories noted on page 1, lines 14-18 and is also equipped with a microphone) .

AAPA discloses a method for switching signals but fails to explicitly disclose receiving a plurality of audio signals at an input section; receiving the plurality of audio signals from the input section at a controller interconnected with said input section; producing a control signal at the controller in response to an instruction set; receiving the plurality of audio signals at a switching section interconnected with said input section; receiving the control signal from the controller at the switching section; and outputting an audio signal from the switching section in response to the received control signal.

Ishigaki discloses receiving a plurality of audio signals at an input section **(input terminals 21-23, Figure 2; column 3, lines 10-12);**

receiving the plurality of audio signals from the input section at a controller interconnected with said input section; **(memory circuit 30 reads on controller, Figure 2; column 3, line 64-column 4, line 67 discloses that the switching section, switching circuits 24-26, receives input signals from the input terminals and control signals produced by the memory 30 and produces an output audio signal; memory circuit 30 reads on controller, Figure 2);**

producing a control signal at the controller in response to an instruction set **(Figure 3 illustrates the memory which output control signals CS1,CS2 and CS3 ; column 3, line 64-column 4, line 59; column 5, lines 13-30 teaches that the**

memory circuit 30 produces control signals as output so that, in response to one input signal, the switching circuit of the that input signal is closed and thereafter maintained in this state, but when an input signal subsequently arrives at another signal system, the switching circuit which has been first closed is opened, and the switching circuit of the system of the input Signal arriving later is closed);

receiving the plurality of audio signals at a switching section interconnected with said input section (Figure 2; column 3, line 64-column 4, line 67 discloses that the switching section, switching circuits 24-26, receives input signals from the input terminals and control signals produced by the memory and to produce an output audio signal; memory circuit 30 reads on controller, Figure 2; Figure 3 illustrates the memory which output control signals CS1,CS2 and CS3 ; column 3, line 64-column 4, line 59; column 5, lines 13-30 teaches that the memory circuit 30 produces control signals as output so that, in response to one input signal, the switching circuit of the that input signal is closed and thereafter maintained in this state, but when an input signal subsequently arrives at another signal system, the switching circuit which has been first closed is opened, and the switching circuit of the system of the input Signal arriving later is closed);

receiving the control signal form the controller at the switching section; and outputting an audio signal from the switching section in response to the received control signal (Figure 2; column 3, line 64-column 4, line 67 discloses that the switching section, switching circuits 24-26, receives input signals from the input terminals

and control signals produced by the memory and to produce an output audio signal);

outputting an audio signal from the switching section in response to the received control signal (**pre-amp 15, main amp 16 and speaker 17 read on output section, Figure 1; column 2, line 67-column 3, line 2; Figure 2; column 3, line 64-column 4, line 67 discloses that the switching section, switching circuits 24-26, receives input signals from the input terminals and control signals produced by the memory and to produce an output audio signal).**

Ishigaki teaches of switching between only three devices and teaches that the benefit of the switching apparatus, 14, is to provide automatic selection (Ishigaki, column 2, lines 47-53). It would have been obvious, in light of the AAPA's disclosure that it is common for a touring motorcycle to have of all of the claimed audio accessories , that one of ordinary skill in the art would have varied the switching section of prior art Ishigaki in a predictable manner so as to result in the claimed invention in order to accommodate all of the audio accessories.

AAPA as modified discloses a controller. AAPA as modified fails to disclose that the controller is programmable. Furst discloses a switching apparatus that has a programmable controller (**switching apparatus 12 has a drive apparatus 21 which has a programmable microprocessor with a memory, the drive apparatus 21 controlling the switching apparatus; column 4, line 61-column 5, line 13).** It would have been obvious to modify AAPA as modified so that the controller is programmable so that switching can occur more quickly.

Regarding claim 32, AAPA as modified discloses wherein the audio accessories comprise a first level music source and a second level music source; and the input section comprises a switch for switching between the first and second music sources **(See AAPA,Ishigaki and Furst as applied to claim 20 above which discloses switching between a plurality of sources).**

Regarding claim 36, AAPA as modified discloses a microphone that provides a microphone signal (See AAPA as applied above to claim 1), an instruction set for switching and switching between various sources. AAPA as modified fails to disclose explicitly that the instruction set comprises an instruction for controlling the switching section in response to the microphone audio signal. The prior has recognized the importance or benefit of switching between various sources and having a programmable controller for controlling the switching as evidenced by AAPA,Ishigaki and Furst. It would have been obvious to try switching as a result of the microphone signal with a reasonable expectation of success.

9. **Claims 13, 24 and 35** are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art (hereafter AAPA) (page 1, line 1- page 2, line 16) in view of Ishigaki et al. (US 4,347,510) in further view of Furst et al. (US 6,316,713) in further view of Eggers ((US 5,910,996).

Regarding claims 13,24 and 35, AAPA as modified discloses an input section. AAPA as modified does not disclose signal-leveling circuitry for leveling the audio signals with respect to one another. Eggers discloses a leveling circuit in switching

circuit 41 for source signals A and B through the use of foreground program volume controller 15 and background program volume controller 16 (column 3, line 54-column 5, line 63). The advantage of such a circuit was to prioritize the audio signals and make sure the most important audio source is heard over any other audio source, as taught in column 3 lines 17-53. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify AAPA as modified to include the leveling circuitry of Eggers for the purpose of prioritizing the signals.

Regarding claim 24, AAPA as modified discloses an input section. AAPA as modified does not disclose signal-leveling circuitry for leveling the audio signals with respect to one another. Eggers discloses a leveling circuit in switching circuit 41 for source signals A and B through the use of foreground program volume controller 15 and background program volume controller 16 (column 3, line 54-column 5, line 63). The advantage of such a circuit was to prioritize the audio signals and make sure the most important audio source is heard over any other audio source, as taught in column 3 lines 17-53. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify AAPA as modified to include the leveling circuitry of Eggers for the purpose of prioritizing the signals.

Regarding claim 35, AAPA as modified does not disclose signal-leveling circuitry for leveling the audio signals with respect to one another. Eggers discloses a leveling circuit in switching circuit 41 for source signals A and B through the use of foreground program volume controller 15 and background program volume controller 16 (column 3, line 54-column 5, line 63). The advantage of such a circuit was to prioritize the audio

signals and make sure the most important audio source is heard over any other audio source, as taught in column 3 lines 17-53. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify AAPA as modified to include the leveling circuitry of Eggers for the purpose of prioritizing the signals.

Claim Objections

10. Claim 18, 29 and 37 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

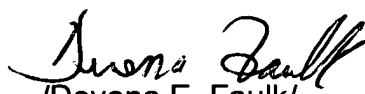
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devona E. Faulk whose telephone number is 571-272-7515. The examiner can normally be reached on 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Devona E. Faulk/
Examiner
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